

CITY COMMISSION MINUTES

May 6, 2008

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, May 6, 2008 with Mayor Mick Wunder presiding.

The following members of the Commission were present: Terry Heldstab, Mike Rhodes, Ken Talley, Jack Taylor and Mick Wunder. Staff present was: City Manager Rod Barnes, City Attorney Christina Cook, City Clerk Tricia Gowen, and City Attorney Catherine Logan.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve the Consent Agenda. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. The Consent Agenda consisted of the following:

- a. Approval of the **April 29, 2008**, City Commission meeting minutes.
- b. The consideration of **Appropriation Ordinance** dated April 25, 2008, through April 30, 2008, in the amount of \$152,153.98.
- c. The consideration and approval of **Amendment to Ordinance G-1037, Section 220.745** to include "any knife which has a blade that opens automatically or substantially automatically by hand pressure applied to a button, spring or other device, which button, spring or other device is located anywhere on or in the knife other than in the handle." (Final Reading)
- d. The consideration and approval of **Amendment to Standard Traffic Ordinance G-1035, Section 300.86**—Parking in Cul-de-sacs. (Final Reading)
- e. The consideration and approval of 2008 **Kansas Emergency Shelter Grant**, in total amount of \$27,711.00.
- f. The consideration and approval of **Pay Request** by F&R Mowing for the mowing of City properties and Blights for the week of April 21, 2008, through April 27, 2008, in the amount of \$4,592.36.
- g. The consideration and approval of **Pay Request** by Ben Kitchens Painting Co., Inc. for completed work at 1819 North Adams and 1832 North Adams, in the amount of \$50,862.00. (Paid by CDBG Rehabilitation Grant Funds)
- h. The consideration and approval of **Request for Bid Date and Notice of Award** by HWS for advertising bid date of May 19, 2008, and award of contract on May 20, 2008, for sidewalks, pavement, curb and gutter for the Buffalo Soldier Sidewalk Improvement Project.

- i. The consideration and approval of **Pay Request #2** by Big D Development, LC for services completed through February 12, 2008, for Sutter Highlands, in the amount of \$456,097.03. (\$1,769.34 was removed for Spring Valley Road entrance) (Project is 100% complete)
- j. The consideration and approval of **Pay Request #2** by Big D Development, LC for services completed through February 12, 2008, for Sutter Woods, in the amount of \$145,900.83. (\$2,015.00 was removed for Spring Valley Road entrances) (Project is 100% complete)

Mayor Wunder stated that for Items 3i and 3j, the City received a letter from Big D Development, LC requesting and authorizing the City to reduce the payment amount by the amount of taxes that Big D Development, LC owes to the County. Mayor Wunder stated that the City could not automatically do this; Big D Development, LC had to authorize the transaction. The authorization will pay the full amount owed in taxes, including penalties and interest.

APPOINTMENTS

Mayor Wunder informed the public that there are several vacancies on City boards and encouraged citizens to complete an interest card located in the Customer Service Center of the Municipal Building. Board vacancies include: one vacancy on the Public Housing Board; one vacancy on the Historic Preservation Board; three vacancies on the Golf Advisory Board; and one vacancy on the Airport Board.

SPECIAL PRESENTATIONS

- a. A special presentation to the participants of the Citizen's Institute. Public Relations Director, Carol Gould, stated that the City wanted to recognize the Institute participants this evening. The Institute consisted of eight sessions held over the past three months. Ms. Gould thanked the departments that participated for their hard work and extra hours they worked to make the Institute successful. The participants included:

Hannah Peterson	Judith Germann
Walter Germann	Sarah Talley
Carolyn Gaston	Frederick Reid
Dianna Stewart	Kevin Olson
Shawn Kelly	Sara Bigelow
Linda Costello	

Commissioner Rhodes thanked the participants for the time they spent participating in the Institute and taking the time to learn about how the City operates. Commissioner Taylor inquired if there will be another Institute. Ms. Gould informed the Commission that the City Manager would like to hold another Institute in the fall and that the staff will begin organizing the next class. Mayor Wunder thanked the participants for their participation in the Institute.

- b. Proclamation of Peace Officers' Memorial Day and Police Week. Mayor Wunder read the Proclamation and Chief Bob Story accepted the Proclamation. Chief Story stated that the Junction City Police Department will lay a wreath on the memorial in Heritage Park during the month of May.

NEW BUSINESS

David Arteberry informed the Commission that four bids were received for the Taxable General Obligation Bonds, Series DR with the low bid from Morgan Keegan & Co., Inc. at 5.760414%. Commissioner Rhodes moved, seconded by Commissioner Talley to accept the bid from Morgan Keegan & Co., Inc. at 5.760414%. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

Mr. Arteberry informed the Commission that one bid was received for the General Obligation Bonds, Series DQ from Wachovia Securities, LLC at 4.331161%. Commissioner Rhodes moved, seconded by Commissioner Heldstab to accept the bid from Wachovia Securities, LLC at 4.331161%. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- a. The consideration and approval of **Ordinance S-3005** authorizing the issuance of General Obligation Bonds, Series DQ and Taxable General Obligation Bonds, Series DR. (Final Reading). Commissioner Rhodes moved, seconded by Commissioner Taylor to approve Ordinance S-3005 authorizing the issuance of General Obligation Bonds, Series DQ and Taxable General Obligation Bonds, Series DR (Final Reading). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. The consideration and approval of **R-2460** authorizing and directing the sale and delivery of Taxable General Obligation Bonds, Series DR, previously authorized by Ordinance S-3005. Commissioner Rhodes moved, seconded by Commissioner Talley to approve R-2460 authorizing and directing the sale and delivery of Taxable General Obligation Bonds, Series DR, previously authorized by Ordinance S-3005. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- c. The consideration and approval of **R-2462** authorizing and directing the sale and delivery of Taxable General Obligation Bonds, Series DQ, previously authorized by Ordinance S-3005. Commissioner Talley moved, seconded by Commissioner Heldstab to approve R-2462 authorizing and directing the sale and delivery of Taxable General Obligations Bonds, Series DQ, previously authorized by Ordinance S-3005. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- d. The consideration and approval of **R-2469** authorizing and directing the issuance, sale and delivery of General Obligation Temporary Notes, Series 2008-A. Commissioner Rhodes moved, seconded by Commissioner Talley to approve R-2469 authorizing and directing the issuance, sale and delivery of General Obligation Temporary Notes, Series 2008-A. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- e. The consideration and approval of **R-2468** authorizing Westar Energy to place street lights on existing traffic signal poles at the intersection of Ash Street and U.S. Highway 77. City Engineer, Christina Cook, informed the Commission that the lights would cost \$10.96 per light per month. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve R-2468 authorizing Westar Energy to place street lights on existing traffic signal poles at the intersection of Ash Street and U.S. Highway 77. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- f. The consideration and approval of **Authorization Agreement #15** with Burns & McDonnell Engineering Company to conduct a Chloride Removal Feasibility Study for the East and Southwest Water Treatment Plants, per requirement by KDHE, in an amount not to exceed \$15,000.00. City Manager, Rod Barnes, informed the Commission that this study is a requirement of the City's permit renewal. The permit is typically good for five years. Commissioner Rhodes moved, seconded by Commissioner Talley to approve Authorization Agreement #15 with Burns & McDonnell Engineering Company to conduct a Chloride Removal Feasibility Study for the East and Southwest Water Treatment Plants, per requirement by KDHE, in an amount not to exceed \$15,000.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- g. The consideration and approval of **Ordinance S-3009** authorizing the rezoning of property on both sides of the South 900 to 1100 block of Meadowbrooke Lane (Lots 1 through 14, Block 1 and Lots 1 through 14, Block 2, Oakwood Village Addition) from Duplex Residential (RD) to Multiple-family Residential (RM). (MPC, by unanimous vote, recommends disapproval of rezoning) (First Reading). Rod Donovan, 6852 Cottonwood Circle, Topeka, Kansas, with Donovan Homes, LLC informed the Commission that he is requesting the ordinance change so that he can build four-plex structures instead of duplexes on the 28 lots. He has watched the market over the past year to see what the demand for housing is and he feels the market is looking for the four-plex. He units would have 1,400 to 1,500 square feet, three bedrooms, a basement, and a one car garage. The units will be stick-built structures and the rent would be \$900 to \$1,000 per month. Commissioner Taylor moved, seconded by Commissioner Talley to disapprove Ordinance S-3009 authorizing the rezoning of property on both sides of South 900 to 1100 block of Meadowbrooke Lane (Lots 1 through 14, Block 1 and Lots 1 through 14, Block 2, Oakwood Village Addition) from Duplex Residential (RD) to Multiple-family Residential (RM) (First Reading). Ayes: Heldstab, Talley, Taylor, Wunder. Nays: Rhodes. Motion carried four to one.
- h. The consideration and approval of **Ordinance S-3010** authorizing the rezoning of property at 602, 604 and 610 West 14th Street (Lot 1 through 3, Block 3, Cuddy's Addition) from Mobile Home (MH) District to General Residential (RG). (MPC, by unanimous vote, recommends approval of rezoning) (First Reading). City Engineer, Christina Cook, informed the Commission that the rezoning is for the Self Help Housing Program and one of the lots would be used by the High School for the Construction Class to build another house. Commissioner Rhodes moved, seconded by Commissioner Taylor to approve Ordinance S-3010 authorizing the rezoning of property at 602, 604, and 610 West 14th Street (Lot 1 through 3, Block 3, Cuddy' Addition) from Mobile Home (MH) District to General Residential (RG) (First Reading). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- i. The consideration and approval to submit **Grant Application** for the KDHE, SFY 2009 Waste Tire Grant Program to be used to supply playground surface from tire-derived products for Buffalo Soldier Park. Total funds requested in the grant are \$21,030.00. (City match for the grant would be \$10,515.00). Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the Grant Application for the KDHE, SFY 2009 Waste Tire Grant Program to be used to supply playground surface from tire-derived products for Buffalo Soldier Park. Total funds requested are \$21,530.00 (City match for the grant would be \$10,515.00). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- j. The consideration and approval to submit **Grant Application** for the National Endowment for the Arts Challenge: Reaching Every Community Fast-Track Review Grant. Grant amount is \$20,000.00 to implement a Technology and Art Program at the Arts Council. (City match for the grant would be \$10,000.00). Commissioner Taylor moved, seconded by Commissioner Heldstab to approve the Grant Application for the National Endowment for the Arts Challenge: Reaching Every Community Fast-Track Review Grant, in the amount of \$20,000.00 to implement a Technology and Art Program at the Arts Council. City's match for the grant would be \$10,000.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- k. The consideration and approval of fiscal years **2009 and 2010 Junction City Police Officer's Association Union Contract**. Commissioner Rhodes moved, seconded by Commissioner Taylor approve the agreement between the City of Junction City and the Junction City Police Officer's Association for fiscal years 2009 and 2010. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- l. The consideration and approval of **Change Order #2** by Pavers, Inc. for relocation of water meters for 6th and Jackson and 6th and Webster KDOT project. Price is \$700.00 per meter and there are seven meters for total amount of \$4,900.00. City responsibility is 10%, or \$490.00, per KDOT agreement. City Engineer, Christina Cook, informed the Commission that KDOT did not include this line item when the bid document was created. KDOT has approved this item. Ms. Cook stated that the project is slated for completion mid-September. Commissioner Heldstab moved, seconded by Commissioner Talley to approve Change Order #2 by Paver's, Inc. for relocation of water meters for 6th and Jackson and 6th and Webster KDOT project in the amount of \$7.00.00 per meter. There are seven meters for a total amount of \$4,900.00 with the City's responsibility of 10% (\$490.00 per the KDOT agreement). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- m. The consideration and approval to **Utilize Trade-in Value** for two existing Veolia trash collection trucks against the lease purchase costs for the back up truck from Downing Services. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve to utilize trade-in value for two existing Veolia trash collection trucks against the lease purchase costs for the back up truck from Downing Services. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

(The Commission requests that comments be limited to a maximum of five minutes for each person).

Chris Jasinski – 7218 Rockwood Drive, Milford, KS. Ms. Jasinski stated she was pleased that Big D Development will pay their taxes. Ms. Jasinski stated that she was concerned about the City's debt level and how it affects the bond insurance. City Manager, Rod Barnes, informed Ms. Jasinski that she had interpreted Mr. Arteberry's comments incorrectly. Several years ago, the City elected to pay insurance on all bonds instead of having a rating completed. The rating process is a very long process and very costly. Mr. Barnes informed Ms. Jasinski that the City's debt level in no way affects the amount of the bond insurance premium. Ms. Jasinski stated that she still had not received a reply from her April 20, 2008 email. Mayor Wunder informed Ms. Jasinski that the staff and the City Attorney, Katie Logan, had researched her questions and Ms. Logan would respond to Ms. Jasinski on May 7, 2008.

COMMISSIONER COMMENTS

Commissioner Taylor asked Steve Hoambrecker with Veolia Water who is responsible for replacing the black fire hydrants. Mr. Hoambrecker stated that Veolia works in conjunction with the Junction City Fire Department on the hydrants. A black hydrant does not mean that the hydrant doesn't work; it has a low water flow/pressure. If a fire occurs and there is a black hydrant, the Fire Department will locate another hydrant to utilize during the fire. If there is not another hydrant in close proximity, the black hydrant can be used. Commissioner Taylor asked Mr. Barnes to put together information that can be posted on the web site to inform the public about the hydrant system. Commissioner Taylor stated that the Register of Deeds sent him information about a company that is sending out letters that are fraudulent. The letters are from National Deed Service in Illinois. The Register of Deeds wants the public to be aware that their office can make copies of deeds and if they receive such a letter to ignore it. The Register of Deeds can be reached at 785-238-5531.

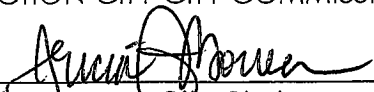
Commissioner Rhodes informed the public that on May 18, 2008, the Ride for the Wall will stop overnight in Junction City. They plan to arrive at the Washington Street exit between 4:45 p.m. and 5:15 p.m. The ride begins in California and ends in Washington D.C. and honors Vietnam Veterans. Commissioner Rhodes stated that it is an honor for our community to host these Veterans and the group and invited the public to attend the ceremony that will take place in Heritage Park.

Mayor Wunder stated that budget hearings will begin Monday, May 12, 2008 at 5:30 p.m. The hearings will be televised. There is one adjustment to the schedule: Wednesday, May 14, 2008 is cancelled and the departments that were to present that evening will be moved to another night.

ADJOURNMENT

Commissioner Rhodes moved, seconded by Commissioner Heldstab to adjourn at 8:20 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 20th DAY OF MAY, 2008 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR MAY 6, 2008.


Tricia Gowen, City Clerk


Mick Wunder, Mayor